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7

8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE NORTHERN MARIANA ISLANDS**

10 **JOSE C. MAFNAS,**

11 **Plaintiff,**

12 **vs.**

13 **WILLIAM M. CASTRO, in his personal**
14 **capacity, and in his official capacity as the**
15 **Chief of Staff of the Office of the Governor,**
16 **DAVID DLG. ATALIG, in his personal**
17 **capacity, and in his official capacity as the**
18 **Secretary of Finance of the Department of**
19 **Finance, and THE COMMONWEALTH**
20 **OF THE NORTHERN MARIANA**
21 **ISLANDS,**

22 **Defendants.**

23 **Civil Action No. 22-00009**

24

25 **NOTICE OF MOTION AND**
MOTION FOR
TEMPORARY RESTRAINING
ORDER AND PRELIMINARY
INJUNCTION

26 Date:

27 Time:

28 Chief Judge Ramona V. Manglona

29 Plaintiff Jose C. Mafnas, through Attorney Charity Hodson, hereby gives notice of this
30 motion and moves that this Court:

31 1. Issue a temporary restraining order pursuant to Rule 65(b) of the Federal Rules of
32 Civil Procedure, preventing Defendants from removing Mr. Mafnas from his
33

1 position as Director of Customs and Biosecurity or to otherwise reinstate him until
2 the Court has decided on Mr. Mafnas's motion for a preliminary injunction.

3 2. Issue a preliminary injunction under Rule 65(a) of the Federal Rules of Civil
4 Procedure, preventing Defendants from removing Mr. Mafnas from his position as
5 Director of Customs and Biosecurity or to otherwise reinstate him until the Court has
6 decided this matter on the merits in order to preserve the status quo.
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8 3. If the Court issues a temporary restraining order without notice, to schedule a
9 hearing on Mr. Mafnas's motion for preliminary injunction in the above captioned
10 matter at the earliest possible time pursuant to Rule 65(b)(3) of the Federal Rules of
11 Civil Procedure.
12

13 Plaintiff is prepared, if necessary, to give a security for the issuance of the temporary
14 restraining order and/or preliminary injunction applied for in the sum deemed proper to pay the
15 costs and damages sustained by any party found to have been wrongfully enjoined or restrained
16 by this Court per Rule 65(c), but asserts that any such costs are minimal and any required
17 security should therefore be minimal. A Memorandum of Law in Support of the Motion for
18 Temporary Restraining Order and Preliminary Injunction and the Affidavit of Jose C. Mafnas
19 Law in Support of the Motion for Temporary Restraining Order and Preliminary Injunction and
20 affidavit in support of this motion are filed herewith.
21

22 Respectfully submitted on this 27th day of July, 2022.
23

24 /s/ Charity R. Hodson
25 Charity R. Hodson, F0487
26 Attorney for Plaintiff
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